

**REMARKS**

The Office Action dated November 14, 2006 has been received and carefully reviewed. The Applicant respectfully requests reconsideration of the claims.

Claims 1, 4, and 9 are hereby amended, and claim 9 is canceled. Claims 1–4, 6, and 8 are currently pending.

In the Office Action, claims 1, 4, and 9 are rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. By this amendment, claim 9 is canceled. Applicant respectfully traverses the rejection of claims 1 and 4.

Independent claim 1, as amended, recites a “motor shaft comprising chamfers between the fan and the motor, wherein the chamfers are parallel to each other.” Independent claim 4, as amended, recites “the motor shaft includes chamfers between the motor and the motor bracket, wherein the chamfers are parallel to each other.”

The chamfers, as claimed in claims 1 and 4, find support in the specification. (*See* ¶¶ [0028], [0029], and [0033], ref. 500a). Further, the parallel aspect of the chamfers is illustrated in FIG. 5. (Ref. 500a). Accordingly, Applicant respectfully submits that claims 1 and 4 comply with the requirements of 35 U.S.C. § 112, first paragraph, and requests that the Examiner withdraw the rejection.

In the Office Action, claim 1–3 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,555,647 to Torborg et al. (hereinafter “Torborg”). Applicant respectfully traverses the rejection. Independent claim 1 is allowable in that it recites a “motor shaft comprising chamfers between the fan and the motor, wherein the chamfers are parallel to each other.” Nothing in Torborg teaches or suggests parallel chamfers. In contrast, Torborg teaches a blower drive shaft 34 that may include an annular groove 35 and a single flat surface 33. (*See, e.g.*, FIG. 5, and column 3, lines 53–57). Even if one were to unreasonably interpret a

chamfer to cover the flat surface 33 of Torborg, Torborg still fails to teach another flat surface to which it can be parallel.

Further, Torborg fails to teach chamfers between the fan and the motor. In fact, Torborg teaches that flat surface 33 is located at the distal end of the shaft inside the blower housing (*i.e.*, fan). (Column 3, lines 53–57). Therefore, the flat surface 33 taught by Torborg cannot be located between the fan the motor, as recited in claim 1.

Further, the Examiner states that “[t]he claimed parallel feature is also construed to be inherently disclosed in Torborg because the figures show a parallel relationship between the fan and motor in the same depth.” (Office Action, page 3). Applicant respectfully points out that the term “parallel” in independent claim 1 pertains to the chamfers and not to the relationship between the fan and the motor. Accordingly, for these reasons, Applicant respectfully submits that claim 1 is not anticipated by Torborg, and that claim 1, and its dependent claims 2–3, are allowable.

In the Office Action, claim 9 is rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 2,547,238 to Tremblay (hereinafter “Tremblay”). By this amendment, independent claim 9 is canceled. Applicant respectfully submit that the rejection is moot.

In the Office Action, claims 4, 6, and 8 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Torborg in view of U.S. Patent No. 5,664,936 to Cunha et al. (hereinafter “Cunha”). Applicant respectfully traverses the rejection.

Independent claim 4 is allowable in that it recites a “motor shaft includes chamfers ... wherein the chamfers are parallel to each other.” Nothing in Troborg and Cunha, alone or in combination, teaches or suggests at least this feature of the claimed invention. Troborg does not teach chamfers, as discussed above with regard to independent claim 1. Further, Cunha does not teach these features either. In contrast, Cunha teaches a “beveled region of the shaft end 20.”

(Column 2, lines 66–67, and FIG. 3). The beveled region on shaft end 20 taught by Cunha has a “semi circular shape.” (Column 2, lines 27–28). As such, a beveled region of a shaft having a semi-circular shape cannot have chamfers that are parallel to each other. Parallel chamfers would give the shaft two parallel flat sides, not a semi-circular shape. Accordingly, Applicant respectfully submits that claim 4, and its dependent claim 6 and 8, are allowable over any combination of Torborg and Cunha.

In the Office Action, claims 1–4, 6, and 8–9 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1–9 of U.S. Patent No. 6,874,248 (hereinafter “‘248”) in view of Torborg, U.S. Patent No. 3,264,016 to Reisch (hereinafter “Reisch”), and Cunha. Applicant respectfully traverses the rejection.

Independent claim 1 is allowable in that it recites “the motor shaft comprising chamfers between the fan and the motor, wherein the chamfers are parallel to each other.” Nothing claimed in ‘248, nor disclosed in Torborg, Reisch, and Cunha, alone or in combination, teaches or suggests these features of the claimed invention.

The Examiner correctly states that ‘248 does not claim a chamfer portion. (Office Action, page 5). As discussed above with regard to independent claims 1 and 4, Torborg and Cunha do not teach this feature. Applicant respectfully asserts that Reisch does not teach this feature either. Reisch teaches “a pair of grooves 68 and 70 formed on opposites sides of the end of the shaft.” (Column 5, lines 55–57). In Reisch, the grooves 68 and 70 are not between the fan and the motor — they are disposed on the shaft where the fan engages the shaft. This is because the fan itself engages the shaft at grooves 68 and 70. (*See* FIG. 16). As such, ‘248 does not claim, nor does Reisch, Torborg, or Cunha disclose “the motor shaft comprising chamfers between the fan and the motor, wherein the chamfers are parallel to each other,” as recited in independent claim 1. Accordingly, Applicant respectfully submits that independent claim 1, and

its dependent claim 2–3, are improperly rejected under the judicially created doctrine of obviousness-type double patenting, and respectfully request that the Examiner withdraw the rejection.

Independent claim 4 is allowable in that it recites “the motor shaft includes chamfers between the motor and the motor bracket, wherein the chamfers are parallel to each other.” Nothing in Torborg teaches or suggests at least this feature of the claimed invention. Accordingly, for the same or similar reasons as those regarding independent claim 1, Applicant respectfully submits that independent claim 4, and its dependent claim 6 and 8, are improperly rejected under the judicially created doctrine of obviousness-type double patenting, and respectfully request that the Examiner withdraw the rejection.

The application is in condition for allowance. Early, favorable action is respectfully solicited.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at (202) 496-7500 to discuss the steps necessary for placing the application in condition for allowance. All correspondence should continue to be sent to the below-listed address.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. § 1.136 for any necessary extension of time, or any other fees required to complete the filing of this response, may be charged to Deposit Account No. 50-0911. Please credit any overpayment to deposit Account No. 50-0911. A duplicate copy of this sheet is enclosed.

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Respectfully submitted,

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